

## **REMARKS**

In this Amendment, Applicants cancel claims 1-7, 9-16, 18-25, 27-33, and 35 without prejudice and present new claims 36-51. Cancellations of and amendments to the claims are being made solely to expedite prosecution of the present application and do not constitute an acquiescence to any of the Examiner's rejections. Applicants reserve the option to further prosecute the same or similar claims in the present or a subsequent application. Support for the amendments to the claims can be found throughout the application. Upon entry of the Amendment, claims 36 to 53 are pending in the present application.

### **I. Rejections**

In the Office Action, the Examiner rejected claims 1-6, 9-16, 18-25, 27-33, and 35 under 35 U.S.C. § 103(a) as being unpatentable over Mousseau in view of Kadyk. The Examiner also rejected claims 7, 9, 16, 18, 25, 27, 33, and 35 under 35 U.S.C. § 103(a) as being unpatentable over Mousseau in view of Kadyk and Landgren.

### **II. Rejected Claims**

Applicant traversed the Examiner's rejection in the Amendment that filed on July 15, 2004. However, to further the prosecution of the patent application, which has now received four Office Actions on the merits, Applicants cancel all pending claims and present new claims 36-53. Therefore, the present Amendment renders the pending rejections moot.

### **III. New Claims**

To facilitate the examination process, Applicants present herein remarks explaining the allowability of the new claims in view of prior art applied by the Examiner.

In the Office Action, the Examiner relied on Mousseau et al. U.S. Patent No. 6,477,529, Kadyk et al. U.S. Patent No. 6,674,767, and Langdren U.S. Patent No. 6,115,754. All the features of new claims 35-53 are not shown or suggested by the Mousseau, Kadyk, and Langdren, or by combinations thereof.

For example, claim 36 which is directed to a method for facilitating the transfer of a web page to a wireless device, comprising, among other things, "parsing the web page to remove data that is not displayable on the wireless device based the wireless device type . . . transmitting the parsed web page from the web server to the wireless device in a plurality of data packets, wherein the transmission of the data packets is paced by the web server based

on the wireless network type." None of the prior art cited by the examiner shows or suggests such pacing. In the Office Action, the Examiner specifically relies on Langdren col. 9, line 62 to col. 10 line 24 to show pacing. However, Applicants were unable to identify support for such a position upon reviewing the cited text of Langdren.

One advantage of the present invention as defined by claims 36 and 45 is that by sending the web page in data packets and pacing the transmission based on the type of wireless network, the web server can avoid overloading the wireless communications network or its bandwidth. Thus in addition to removing data of a requested web page to adapt to the display capabilities of a requesting wireless device (e.g., by the web server receiving information from which the type of wireless device could be identified), pacing from the web server improves on the delivery of the web page to the wireless device.

#### **IV. Declaration Swearing Behind References**

Applicant is in the process of preparing a declaration under Section 1.131 to establish an earlier date of conception and reduction of practice which as a result would establish an earlier date for identifying which documents qualify as prior art under 35 USC 102. A significant number of the cited art will no longer qualify as prior art on the basis of declaration. At that time of filing the declaration, Applicant will also add new claims that would have a scope that will be consistent with the earlier date of invention.

#### **V. Conclusion**

Therefore, claims 35 and 44 are allowable at least for the foregoing reasons. Dependent claims 36-44 and 46-53 are also allowable on the basis of the features recited therein and also because of their dependent form allowable independent claims 35 and 45. Should the Examiner not agree that all pending claims are allowable, then a personal or telephonic interview is respectfully requested to discuss any remaining issues and expedite the eventual allowance of these claims.

Respectfully submitted,

  
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Date: November 14, 2005